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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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9 Andy Gonzalez,
10 Plaintiff,
11 v.
12 Cecilia Benabidez,
13 Defendant.
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No. CV-24-00452-TUC-LCK

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ORDER

16 On December 16, 2024, Magistrate Judge Lynette C. Kimmins issued a Report
17 and Recommendation (“R&R”), recommending that the District Court enter an order
18 dismissing this case without prejudice and directing the Clerk of Court to close this case
19 after Plaintiff failed to amend the Complaint and failed to pay the filing fee or resubmit
20 the Application to Proceed Without Prepaying Costs. (Doc. 10.) Judge Kimmins notified
21 the parties they had fourteen days to object to the R&R. (*Id.*) No objections have been
22 filed.

23 The standard of review of a magistrate judge’s R&R is dependent upon whether a
24 party objects: where there is no objection to a magistrate’s factual or legal
25 determinations, the district court need not review the decision “under a de novo or any
26 other standard.” *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

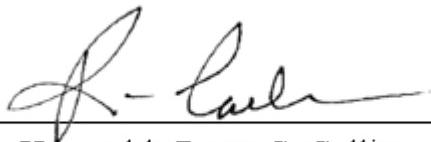
27 The Court has reviewed the pertinent documents in this matter and agrees with the
28 Magistrate Judge’s conclusions.

1 Accordingly, IT IS ORDERED Magistrate Judge Kimmins' Report and
2 Recommendation is ADOPTED. (Doc. 10.)

3 IT IS FURTHER ORDERED this case is DISMISSED WITHOUT PREJUDICE.
4 The Clerk of Court shall docket accordingly and close the case file in this matter.

5 Dated this 6th day of January, 2025.

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Honorable Raner C. Collins
Senior United States District Judge

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